

# What Makes Epistemic Injustice an “Injustice”?

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## 1. Introduction

The ability to be treated equally as a knower has in recent years become increasingly recognized as an important aspect of justice within social and political philosophy. Unfair and unjust communicative structures, institutions, and practices have the potential to reproduce and further exacerbate existing socioeconomic inequalities and injustices. *Epistemic injustice* is the idea that we can be unfairly discriminated against in our capacity as a knower based on prejudices about the speaker, such as gender, social background, ethnicity, race, sexuality, tone of voice, accent, and so on. The concept of epistemic injustice has fostered a large body of literature in recent years, which seeks to clarify the concept and apply it to practical cases. Yet, the literature on epistemic injustice has mainly focused on what makes an epistemic injustice *epistemic*—as opposed to distributive or socioeconomic—and little attention has been paid to what exactly makes an epistemic injustice an *injustice*.

In this paper, I aim to fill this lacuna by asking under what conditions epistemic discrimination suffered by a knower becomes an epistemic injustice. In particular, I argue that we can identify five conditions that make an epistemic injustice an injustice. While the first two conditions—the disadvantage condition and the prejudice condition—are derived from Fricker’s (2007) arguments, I identify three additional conditions—the stakeholder condition, the epistemic condition, and the social justice condition—the violation of which create an epistemic injustice. The paper thus contributes to the literature on epistemic injustice by clarifying and extending existing work on epistemic injustice to identify a set of conditions through which it is possible to eliminate cases of epistemic disadvantage that are not unjust and make it easier to systematically identify and evaluate claims of epistemic injustice.

The paper is structured as follows. In Section 2, I provide a short introduction to the concept of “epistemic injustice,” why it is an important aspect of justice, and how it adversely affects those who are subject to it. In Section 3, I further identify, analyze, and discuss two conditions of epistemic injustice in Fricker (2007)—the disadvantage condition and the prejudice condition. In Section 4, I present three additional conditions that make an epistemic injustice an injustice,

namely the stakeholder condition, the epistemic condition, and the social justice condition. In Section 5, I discuss how the five conditions can be employed in practice to identify and evaluate claims of epistemic injustice.

## 2. Identifying the Conditions of Epistemic Injustice

What is epistemic injustice and why is it an important concept to investigate within moral, social, and political philosophy? According to Fricker (2007, 1), epistemic injustice is a “distinctively epistemic kind of injustice,” in which someone is wronged “specifically in their capacity as a knower.” Fricker argues that there are two distinct forms of epistemic injustice, namely *testimonial injustice* and *hermeneutical injustice*. In the first case, testimonial injustice occurs when we attribute more or less credibility to a statement based on prejudices about the speaker, such as gender, social background, ethnicity, race, sexuality, tone of voice, accent, and so on (Fricker 2007, 1, section 1.3). Testimonial injustices wrong someone in their capacity as a speaker or knower because the increased or decreased credibility accorded to their testimony is based not on any relevant concerns, but on prejudices that have nothing to do with whether the speaker or knower should be granted credibility. This in turn gives an unfair advantage in communicating their knowledge to those who are not subject to these prejudices.

Crucially, testimonial injustice may lead to hermeneutical injustice (Fricker 2007, 162). That is, when testimonial injustices structurally affect what is included in a collective pool of knowledge it leads to an underrepresentation of the experiences of marginalized individuals and groups, in turn affecting their ability to make sense of their experiences.<sup>1</sup> The lack of such conceptual framework to make sense of one’s experiences is an injustice, according to Fricker (2007, 147), because it unfairly advantages those who are able to have their experiences represented in the collective body of knowledge to be able to successfully communicate their experiences to other people: “the powerful have an unfair advantage in structuring collective social understandings.”

So far, within the normative philosophical literature, the focus has been on how to situate epistemic injustice within philosophical disciplines, such as distributive justice (Coady 2017) or feminist philosophy (Medina 2013), or how to apply the concept in practice, for example within health care (Carel and Kidd 2014; 2017) or law (Sullivan 2017). Moreover, while the concept of epistemic injustice has received considerable attention within epistemology in recent years, this has mostly concerned the question of how to delimit when someone is justified in discriminating against someone and what makes it an *epistemic* injustice in the first place.<sup>2</sup> Contributing to, building on, and extending this important literature, in the remainder of this paper I will ask the more fundamental question: what makes an epistemic injustice an *injustice*? In particular, I identify and explicate on a set of five conditions for epistemic injustice, which allow for the systematic identification and evaluation of claims of epistemic injustice. Table 1 provides

Table 1 Overview of the five conditions of epistemic injustice

Condition	Description	Aspect of (in) justice
The disadvantage condition	In order for someone to be unjustifiably discriminated against as a knower, they must suffer epistemic and/or socioeconomic disadvantages and inequalities as a result from the discrimination	Unfair outcome
The prejudice condition	In order for someone to be unjustifiably discriminated against as a knower, the discrimination must involve prejudiced (i.e., unfair) sentiments about the speaker	Unfair judgment about epistemic capacity
The stakeholder condition	In order for someone to be unjustifiably discriminated against as a knower, they must be somehow affected by the decisions that they are excluded from influencing	Unfair denial of stakeholder rights
The epistemic condition	In order for someone to be unjustifiably discriminated against as a knower, they must possess knowledge that is relevant for the decision that they are excluded from	Unfair denial of knowledge
The social justice condition	In order for someone to be unjustifiably discriminated against as a knower, they must at the same time also suffer from other social injustices	Unfair existing vulnerability

an overview and description of the five conditions that I will be discussing in Sections 3-5.

Why is it necessary and beneficial to identify a set of conditions for epistemic injustice? The concept of epistemic injustice has the potential to elucidate and clarify several aspects of socioeconomic injustice and is thus an important concept not just for ethical and moral theory but also for political theory since it concerns the exercise of power, the design of public institutions, such as schools, universities, courts, healthcare, as well as public discourse. Hence, by identifying the conditions for epistemic injustice it is possible to systematically identify and evaluate claims of harm against knowers, perpetrated either or both by individuals and/or institutions, and how individuals and institutions can avoid creating epistemic (dis)advantages and reproducing existing socioeconomic inequalities.

Epistemic disadvantage is harmful for a number of reasons. Intrinsically, “[t]o be wronged in one’s capacity as a knower is to be wronged in a capacity essential to human value. When one is undermined or otherwise wronged in a capacity essential to human value, one suffers an intrinsic injustice” (Fricker 2007, 43). Instrumentally, epistemic injustice (dis)advantages a speaker either or both epistemically and practically (Fricker 2007, 46–48). In the epistemic sense, it concerns the epistemic aspects of social (in)justice, including questions about how structures and practices of knowledge production, such as democratic, legal, and educational institutions, unfairly (dis)advantage some people rather than others through marginalization and distrust of speakers, distortions, and

misrepresentations of their testimonies and experiences, and silencing and exclusion of less powerful contributors (Kidd, Medina, and Pohlhaus 2017, 1).

Practically speaking, epistemic injustice also points to the epistemic bases of larger structural and socioeconomic injustices where epistemic (dis)advantage plays a large role in determining who gets a say in how to address what socioeconomic concerns. To wit, those who are epistemically advantaged have a better opportunity to raise their own concerns in the public and political discourse, creating the potential for the overrepresentation of the concerns of epistemically advantaged groups and the underrepresentation of issues of concern to epistemically (and often already socioeconomically) disadvantaged groups. As such, unfair and unjust communicative and educational structures have the potential to reproduce and further exacerbate existing socioeconomic inequalities and injustices.

In sum, in order to apply the concept of epistemic injustice in practice to the evaluation of how social institutions create and reproduce epistemic (dis)advantages, and thus, harm knowers, we must ask what exactly it is that makes an epistemic injustice an “injustice.” In the following, I first identify two conditions of epistemic injustice within Fricker’s work (Section 3), before I argue that we can identify three additional aspects of epistemic injustice that can be captured within three additional conditions (Section 4).

### 3. Fricker’s Conditions of Epistemic Injustice

What conditions of epistemic injustice can be found within Fricker’s existing work on epistemic injustice? In this section, I argue that it is possible to identify two conditions of epistemic injustice within Fricker’s work. An epistemic injustice is unjust according to Fricker, I argue, because (i) it leads to epistemic and socioeconomic (dis)advantages and inequalities (*the disadvantage condition*) (ii) based on prejudiced (i.e., unfair) sentiments about the speaker (*the prejudice condition*).<sup>3</sup>

#### 3.1. *The Disadvantage Condition*

As Fricker (2007, 1) argues, epistemic injustice is an injustice because it *wrongs* someone in their “capacity as a knower.” This wrong, Fricker argues, is not merely a question of the fair distribution of epistemic goods, such as education or information, which would epistemically enable someone to make informed decisions. If this were the case, it would merely be a case of distributive injustice, according to Fricker. Rather, epistemic injustice is closely linked to epistemic advantage (Fricker 2007, 1–2, 6, 18–19, 43), namely the extent to which a person is able to successfully communicate their knowledge to and be understood by other people. What makes epistemic injustice an injustice, in this sense, is that it *disadvantages* someone in relation to their counterparts. Let us therefore call Fricker’s first condition of epistemic injustice the *disadvantage condition*. As mentioned in the previous section, Fricker (2007, 43–46) argues that epistemic injustice creates

disadvantages both epistemically and practically. Epistemically, it disadvantages the ability of someone to successfully make sense of and communicate their experiences, leading to them having less of a voice in the direct or public discourse. Practically, epistemic injustice can further be disadvantageous to someone in that it may create, reproduce, and/or exacerbate socioeconomic inequalities and social and structural injustice (Fricker 2007, 43). As such, in both cases, disadvantage is relative both to one’s own epistemic and socioeconomic status (i.e., the epistemic discrimination puts me in a less advantaged position than I was before) and in relation to the epistemic and socioeconomic status of other people (i.e., the epistemic discrimination puts me in a less advantaged position than my interlocutors).

The disadvantage condition can be met either directly or indirectly. In the first case, the epistemic discrimination directly disadvantages the individual or group being discriminated. For example, someone standing trial would be directly disadvantaged by being denied the right to have his testimony taken and considered seriously (Fricker 2007, 23–27). However, as the notion of hermeneutic injustice shows, someone might also be disadvantaged by someone else being discriminated against. Someone may, for example, be the victim of sexual harassment, yet, lack the resources to make sense of these experiences because the concept of sexual harassment is lacking from the collective pool of knowledge due to the systematic exclusion of experiences of other victims of sexual harassment (Fricker 2007, 1, 149). Thus, even if a person experiencing sexual harassment is not discriminated against directly, they can still be indirectly disadvantaged by the epistemic discrimination against other victims of sexual harassment.

However, epistemically speaking, Fricker (2007, 21) argues that not all cases of epistemic disadvantage are also cases of epistemic injustice because people may be epistemically disadvantaged for legitimate reasons. Someone may, for example, lie so often that it undermines her own credibility (Fricker 2007, 42), or simply be so ignorant or misinformed about the subject matter that her testimony can and should be ignored. Furthermore, as Fricker (2007, 21; *italics in original*) argues, “[a] credibility deficit might simply result from *innocent error* [...] that is both ethically and epistemically non-culpable.” Thus, there are cases of epistemic disadvantage that are not epistemic injustices.

Moreover, in some cases it is also insufficient for epistemic injustice that it epistemically or socioeconomically disadvantages someone. That is, as Fricker emphasizes, it matters normatively speaking whether the disadvantage is brought about by a wrong. For example, as Fricker (2007, 150–51) argues, the hermeneutical disadvantage brought about by discrimination against sexual harassment victims afflicts both the harassed and the harasser. In the first case, the harassed will lack the concepts necessary to make sense of her experiences; in the second case, the harasser lacks the concepts to understand that his behavior is wrong. But, as Fricker (2007, 151) rightly points out, “the harasser’s cognitive disablement is not a significant disablement to him. Indeed, there is an obvious sense in which suits his purpose.” Thus, it matters whether the disadvantage is not only just harmful

(as is the case for both the harassed, the harasser, as well as collectively), but also wrongful (which it is for the harassed but not the harasser).

In addition, as I shall argue and elaborate later on in relation to the social justice condition (Section 4.3), it also matters normatively speaking whether someone is already in an advantaged or disadvantaged position. Consider, for example, how philosophy tends to be dominated by wealthy white men of a certain age (Di Bella, Miles, and Saul 2016). As such, we would say that wealthy white men of a certain age are already epistemically advantaged within the philosophical discipline and that it would not be an injustice if their epistemic advantage would be reduced by efforts to include more women and minorities in philosophy. In fact, we would likely consider such efforts to be part of any initiative to achieve equality and justice precisely because women and minorities are historically and currently epistemically disadvantaged within the philosophical discipline.

Thus, it is necessary that the disadvantage condition is supplemented by a condition that establishes the epistemic disadvantage or inequality is brought about through *unfair* circumstances. What makes it unjust to epistemically discriminate against a speaker, according to Fricker?

### 3.2. *The Prejudice Condition*

One way in which someone is unfairly discriminated against as a knower is if the discrimination is based on *prejudice* (Fricker 2007, 44). A testimonial injustice, for example, occurs when a speaker is afforded more or less credibility to a statement based on prejudices about her, such as gender, social background, ethnicity, race, sexuality, tone of voice, accent, and so on (Fricker 2007, 1, section 1.3). These characteristics, Fricker argues, do not determine whether someone is a knower or not and should thus not determine the extent to which we attribute credibility to her or her testimony. In other words, an epistemic disadvantage is unfair because it is based on characteristics about the speaker that are irrelevant for judging her as a knower, namely prejudices about certain stereotypes. Let us therefore call this second condition the *prejudice condition*.

Prejudices can be either implicit or explicit. Implicit prejudices, or implicit biases, are false beliefs about other people and their capacities that someone may hold without realizing it (Brownstein and Saul 2016, vols. 1, 1–2). For example, research shows how job applicants with foreign sounding (typically Muslim) names are less likely to be invited for interviews despite being equally and adequately qualified. Although they may be damaging, implicit prejudices are not always sufficient to establish something is an injustice. This is so in at least two ways. First, Fricker acknowledges (2007, 20–21, 41–42) that it should not be considered an injustice in cases where the speaker is unintentionally and/or mistakenly subjected to a prejudice. Consider, for example, cases where the speaker's behavior (e.g., “avoids looking her in the eyes, frequently looks askance, and pauses self-consciously mid-sentence as if to work out his story”) justifies the hearer's assessment of the speaker as untrustworthy because these are common

behavioral signs of untrustworthiness (Fricker 2007, 42) or where the hearer makes her judgment based on false information (Fricker 2007, 21). Such errors are “both ethically and epistemically non-culpable” (Fricker 2007, 21). Second, it is possible to hold positive prejudices about a speaker, providing them with *excess* credibility—that is, giving more credibility than the speaker deserves. Consider, for example, how someone would afford credibility to a speaker with an Ivy League background, who, unbeknownst to the hearer, spent his student days partying rather than studying. While this Ivy Leaguer does not actually deserve the excess credibility, we would be hard pushed to characterize this as an injustice since it does not wrong or disadvantage the speaker in any meaningful sense (Fricker 2007, 21).<sup>4</sup> In both these cases there is prejudice without injustice, meaning that the implicit prejudice is an insufficient condition of epistemic injustice.<sup>5</sup>

Hence, for epistemic injustice it is often held that discrimination based on explicit prejudices is normatively more significant. Discrimination of a speaker based on explicit prejudices can be unjust in two ways. First, the discriminating party may actively hold racist, chauvinist, or xenophobic views that inform their actions. For example, a job recruiter may actually believe that Muslims are by nature unqualified, and thus, actively filter out all applicants with typically Muslim names. Since such explicitly racist bases for making judgments about someone’s qualifications are not only wrong, but also likely hurtful to those who are subject to them (Goguen 2016), this constitutes a greater injustice than if they were the product of implicit biases. However, second, someone may be explicitly prejudiced in a more passive way: they may be aware that they hold implicit prejudices that are contrary to their reasoned beliefs, yet, fail to correct for these in their actions. For example, the job recruiter might not actively believe that Muslims are less qualified for a position, yet, have been informed—for example, by taking an online test—that he holds an implicit bias that leads him to unconsciously filter out applicants with typically Muslim names. Realizing this, the recruiter may take active steps to correct for these biases (Brownstein 2016), for example by anonymizing applications before assessing them. Failing to do so would be unjust because although the bias, or prejudice, underlying the discrimination is implicit, the knowledge that it is harmful and unfair is available the recruiter (Washington and Kelly 2016).

In sum, it is possible to identify two conditions of epistemic injustice within Fricker’s work. However, while neither condition is sufficient in itself to establish epistemic injustice as an injustice, the two can be mutually reinforcing: the disadvantage condition needs a condition that defines when a disadvantage is unjustly brought about, while the prejudice condition needs a condition that defines when a prejudice brings about a wrong. Moreover, there are aspects of epistemic injustice that are not fully captured by the two conditions identified in this section. In the following section, I identify three additional aspects of epistemic injustice that can be captured in three additional conditions.



#### 4. Three Additional Conditions: Stakeholder Rights, Epistemic Contribution, and Social Justice

In the previous section, I argued that it is possible to identify two partial conditions of epistemic injustice within Fricker's own arguments. However, as I will show in this section, the two conditions of epistemic injustice that can be derived from her work leave out several cases that may rightly be classified as epistemic injustices. In particular, I argue that there are three additional aspects to epistemic injustice and that these constitute three additional conditions of epistemic injustice. The *stakeholder condition* holds that in order for someone to be unjustifiably discriminated against as a knower, they must be somehow affected by the decisions that they are excluded from influencing. The *epistemic condition* holds that the discriminated individual or group must, of course, possess knowledge that is relevant for the decision that they are excluded from. Finally, the *social justice condition* holds that in order for an epistemic discrimination or epistemic inequality to be an epistemic injustice, the discriminated individual or group must at the same time also suffer from other social injustices. Crucially, as with the two conditions identified in Fricker's work, I will argue that neither condition is, in itself, sufficient to classify an epistemic discrimination as an injustice.

##### 4.1. The Stakeholder Condition

The first additional condition of epistemic injustice, I contend, holds that that in order for someone to be unjustifiably discriminated against as a knower, they must be somehow affected by the decisions that they are excluded from influencing—that is have a direct stake in its outcome.<sup>6</sup> Consider, for example, how it would not be unjust for me to disregard my neighbor's advice about how to fill in my tax returns, no matter how good that advice might be or how much it is based on his own experiences with filling out tax forms. Simply put, it is not an epistemic injustice to disregard his knowledge and experiences because he does not have any stake in whether or not I fill in my tax forms correctly. Conversely, though, imagine that I had borrowed a substantial amount of money from my neighbor and that a failure to fill in my tax returns properly would likely mean that I would not be able to pay him back. In that case, my neighbor *does* have a stake in my tax returns and *does* have a legitimate, though not absolute, claim to have a say in that I fill them out correctly.

The *stakeholder condition* is necessary in order to avoid inflating the concept of epistemic injustice. Imagine, for example, that my neighbor is a tax accountant and clearly well-versed in filing tax returns. It would clearly be foolish of me, epistemically speaking, not to take his advice into consideration when filling out my tax forms, yet, we would be hard pressed to consider this an injustice in which my neighbor has been wronged in his capacity as a knower. Likewise, there are many experts on cyber security around the world, yet, it would be absurd to claim that they suffer an epistemic injustice every time someone disregards their advice



and chooses an insecure password. Without the stakeholder condition, in other words, the concept of injustice becomes so inflated that it captures many cases that are usually not considered to be unjust.

This also seems to be in line with Fricker’s (2007) own account of epistemic injustice, though she does not state it as a condition explicitly. Fricker is clearly concerned with how the act of not affording a speaker the credibility she deserves can be harmful. Hence, it is at least implicit in Fricker’s account that epistemic injustices somehow *affect* those who are subject to them. My accountant neighbor might be hurt that I do not ask for his advice, yet, that does not mean that I have treated him unjustly. Likewise, we can imagine that some cyber security expert might be dismayed—depressed, even—by statistics showing how many people choose insecure passwords, though few people would agree that this constitutes an injustice against the expert. The point to make here is that unless my accountant neighbor is somehow affected by my disregarding his advice or unless the cyber security expert’s network is somehow protected by that insecure password, they simply have no stakeholder right to claim that they suffer an injustice.

It might be objected that the stakeholder condition is similar to the disadvantage condition discussed in Section 3.1. However, as I have stated it, the disadvantage condition—*pace* the stakeholder condition—does not hold that someone must necessarily be directly disadvantaged by the outcome of the decision-making process. In fact, as I argued, disadvantage can be brought about both directly and indirectly. In particular, hermeneutic injustices can have wide-ranging consequences for people that are not directly affected by an epistemic discrimination. To illustrate, while the systematic exclusion of black experiences of discrimination might directly harm members of the black community (thus, extending stakeholder rights to black community members), it would arguably also disadvantage the career of a white historian studying the discrimination against white people. On the stakeholder condition, however, we would hesitate to call this latter form of disadvantage an injustice. The crucial distinction is that, while it might seem as if the fact that someone is eventually disadvantaged by the discrimination, this disadvantage is *ex post* (i.e., can only be evaluated after the fact). In contrast, the stakeholder condition holds that in some cases an epistemic injustice can be determined *ex ante* (i.e., before any disadvantage has actually occurred) by denying someone the right to epistemically influence a decision because they are *likely* to be *directly* affected by its outcome.<sup>7</sup>

It is important to note, though, that the stakeholder condition is an insufficient condition of epistemic injustice. Dismissing a stakeholder’s testimony and experience does not necessarily constitute an epistemic injustice, even if it might constitute an unjust violation of someone’s stakeholder rights. Recall, epistemic injustice is concerned with discrimination of someone in their capacity as a *knower*. Imagine, for example, that my neighbor, who I have borrowed money from, have little experience with filling in tax return forms and even in those cases he filled them incorrectly. Clearly it would be foolish of me to yield to his advice, even if he might have a stakeholder interest in my tax returns being filled

out properly. Intuitively, we would be inclined to agree that I am therefore justified in dismissing my neighbor's advice.

Yet, this epistemic aspect is not captured by the stakeholder condition: it is only concerned with whether someone has a stakeholder interest in the decision-making process, *not* whether they have knowledge that is relevant for that process. Hence, an additional condition that captures the epistemic aspect of epistemic injustice is needed.

#### 4.2. *The Epistemic Condition*

To capture the epistemic aspect of epistemic injustice, we need an additional condition that highlights how someone is being wronged in their capacity as a knower rather than merely a stakeholder. To see why, it is important to stress the distinction between, on the one hand, having a stake in a decision and, on the other hand, having epistemic rights to inclusion (Byskov 2018, 37–38). Consider, for example, how someone may have an interest in a particular decision, yet, not be able to contribute epistemically to the decision. Passengers on a plane, for example, have a deep interest in the plane being flown safely, yet, that does not mean that they should have a say in how to fly the plane because most passengers simply have little qualification of how to fly a plane. Thus, stakeholder interests do not qualify someone to *epistemically* influence the decision-making since it may lead to worse decisions if based on irrelevant, insufficient, and/or mistaken knowledge (Collins and Evans 2002, 237; 2008, 9–10; Byskov 2017, 62). Thus, in order to have the potential to be an epistemic injustice, it is additionally necessary that the excluded individual or group have relevant knowledge. This is a stronger claim than merely saying that they have been wronged in their capacity as a stakeholder because they have not also been wronged in their capacity as a *knower*.

This is at the core of the *epistemic condition*: in order for someone to be discriminated against as a knower they must possess relevant knowledge about the subject matter being discussed. If this were not the case, we would hesitate to classify it as an *epistemic* injustice.

However, like the stakeholder condition, the epistemic condition is also insufficient by itself to constitute an epistemic injustice. Recall the example of my neighbor's involvement in my tax returns. Now consider how even if my accountant neighbor is very knowledgeable about tax laws, I am perfectly justified in not involving him in filling out my tax returns (as long as he is not affected by whether or not they are filled out correctly). This is not an epistemic injustice and, thus, knowledge is not enough to claim a right not to be excluded from a decision-making process, for example, or, conversely, to claim epistemic injustice, such as in the case of the dismayed cyber security expert. In this case, only in conjunction with the stakeholder condition, establishing stakeholder rights, can one potentially be the subject of an epistemic injustice.

Moreover, someone might suffer from an epistemic injustice without the epistemic condition being met. Recall how the systematic discrimination of some knowers (a testimonial injustice) leads to their particular experiences and knowledge lacking from the collective pool of knowledge (a hermeneutic injustice) and consider how the some people might be epistemically and socioeconomically disadvantaged by the lack of access to this missing knowledge. For example, black communities’ experience with discrimination might be systematically underrepresented within the collective pool of knowledge because of racist biases (an epistemic injustice that satisfies the epistemic condition). The lack of access to these experiences, however, disadvantages black community members *even if* they themselves have not experienced discrimination (thus, violating the disadvantage condition and/or the social justice condition): the lack of knowledge of systematic discrimination means that black community members might, first, be unaware of unjust institutional biases that hold them back socially and economically, thus, leading to socioeconomic inequalities, while, second, they lack the shared knowledge to identify, explicate, and protest these socioeconomic inequalities in an effort to address them.

#### 4.3. *The Social Justice Condition*

As Fricker (2007, 4), Bohman (2012), and Coady (2017) argue, epistemic injustice cannot be separated from larger structures of socioeconomic distribution, domination, inequality, and justice. Indeed, the *social justice condition* holds, what makes epistemic injustice an injustice is to a large degree connected to larger structural injustices, including racism, poverty, marginalization, and ostracization because such socioeconomic factors are determinants in establishing epistemic (dis)advantage.

Epistemic (dis)advantage and structural inequalities and social injustices are intertwined in two ways. First, existing socioeconomic inequalities to a large degree underpin epistemic inequalities. Consider, for example, how affluence can provide one with unequal democratic power and, hence, more influence in democratic decision-making (Christiano 2010, 2012) or, conversely, how societal structures of racism may undermine the credibility given to people of color, such as in the case of *How to Kill a Mockingbird* (Fricker 2007, 23–27). Second, epistemic injustice may further entrench and amplify existing socioeconomic inequalities (Kidd, Medina, and Pohlhaus 2017, 1). Consider, again, the case of how lack of knowledge of systematic discrimination against black communities only serves to further increase their vulnerabilities. In short, epistemic (dis)advantage and socioeconomic (in)equalities are inextricably linked to each other and it therefore becomes necessary to consider what role this relationship plays in creating epistemic injustices.

If we take into consideration these larger structures of inequality and injustice, it becomes clear that not all cases that are testimonially and hermeneutically disadvantageous to someone constitute an epistemic injustice. Consider, for

example, someone who through their membership of a particular societal group is in an epistemically advantaged position. The Ivy League student, for example, is less likely to have his credibility questioned and has, by virtue of his epistemic advantage, a greater ability to influence the public discourse. Even if he were to suffer an isolated case of not being believed, he would *still* be epistemically (and socioeconomically) advantaged compared to, say, members of minority groups who have lower epistemic (and socioeconomic) status. Does our Ivy Leaguer, then, suffer an epistemic *injustice* in this case? I believe not. The reason for this is that although he does suffer an isolated credibility deficiency (thus, satisfying the disadvantage condition in the process), this does not affect his epistemic status in the larger scheme of things. In other words, because of his socioeconomic advantage—i.e., having the resources to attend an Ivy League university and, by extension, become part of an epistemically dominant group—he already has an excess of credibility granted to him as compared to less privileged members of society. In this way, socioeconomic and epistemic status influences the extent to which someone does or can suffer from an epistemic injustice.

The point to make here is that if epistemic injustice is disconnected from larger structures of socioeconomic inequality it dilutes the concept of injustice because it then becomes possible to claim that attempts to equalize epistemic inequalities is an injustice. Consider, for example, how our Ivy Leaguer might come to belong to a male-dominated board of a company. Because of its male dominance, the company culture has come to reflect stereotypically male traits and enabled widespread sexual harassment, including the suppression of female employees that have fallen victim to such harassment. Imagine now that the company gets taken over by new, more progressive owners. Out of concerns for gender equality, these new owners decide that the board should achieve gender balance and consist of an equal number of male and female board members. Consider further how, as a consequence, the male members of the board have lost a significant amount of epistemic power. Now, have the male board members, including our Ivy Leaguer, suffered an epistemic injustice? After all, their epistemic advantage has been diminished. Yet, it would be absurd to claim that efforts to achieve epistemic (and socioeconomic) equality are *unjust* toward those who were previously in an excessively advantaged epistemic position. If anything, such are efforts promote *just* structures of epistemic power.

In both these cases, unjust discrimination is linked to the notions of advantage and disadvantage as determined by existing socioeconomic and epistemic structures of power and inequality. Whether someone is in an already advantaged or disadvantaged position, socioeconomically and epistemically speaking, determines the extent to which someone can be said to suffer from an epistemic injustice: those who as a consequence of structural inequalities already are likely to be granted excess credibility have a weaker claim to epistemic injustice than those who are less epistemically privileged. Discriminating against someone in an epistemically advantaged position does not (necessarily) constitute an injustice.

Consequently, according to the social justice condition, for someone to suffer from an epistemic injustice they must be in an already disadvantaged position to influence the epistemic discourse as a product of larger structures of socioeconomic inequality.

That does not mean, though, that discriminating against someone in an epistemically disadvantaged position necessarily constitutes an injustice, unless that person also possesses some relevant knowledge (epistemic condition). Nor can an epistemic injustice be simply ameliorated by giving socioeconomically disadvantaged individuals more epistemic power.

Finally, it should be noted that the social justice condition might appear as if it is no different from the disadvantage and prejudice conditions, attributed to Fricker and detailed in Section 3. Yet, the social justice condition does differ in important respects from both of these conditions. First, the social justice condition is distinct from the disadvantage condition because it concerns the relationship between epistemic discrimination and *existing* social injustices, whereas the disadvantage condition is concerned with whether an epistemic discrimination *prospectively* disadvantages someone epistemically and/or socioeconomically. That is not to say, though, that Fricker is not concerned with existing socioeconomic inequalities and injustices - it is clearly a crucial motivation for the notion of epistemic injustice in her work, as indicated at the beginning of this subsection—but it is necessary to highlight, as the social justice condition does, how epistemic discrimination against already epistemically advantaged individuals or groups is normatively different from epistemic discrimination against individuals and groups that suffer from existing socioeconomic inequalities and injustices. This distinction, while perhaps implicit, is not clear within Fricker’s own conceptualization of epistemic injustice, which necessitates the addition of the social justice condition.

Second, the social justice condition is also distinct from the prejudice condition. Although both concern existing socioeconomic inequalities, they point to different justice-aspects of epistemic injustice. For its part, the prejudice condition highlights the unfairness of discriminating against a knower on the basis of non-epistemic characteristics, rooted in historic socioeconomically unjust circumstances, such as racism, heteronormativity, and gender oppression. In other words, it serves to distinguish normatively between epistemic injustice cases where the discrimination is motivated by biases and cases where discrimination is epistemically motivated. In contrast, the social justice condition serves to distinguish normatively between cases where someone is discriminated against—fairly or unfairly, as set out by the prejudice condition—yet, is already in an epistemically and socioeconomically advantaged position, such as the Ivy Leaguer in the above examples, and cases where someone is in an already epistemically and disadvantaged position. The latter sort of cases, I have argued, constitutes a greater injustice.

## 5. Practical Application of the Five Conditions

Finally, how should this set of conditions be employed in practice to assess claims of epistemic injustice? In this section, I argue that the practical application of the five conditions requires us to make three clarifications.

First of all, it is important to note that *each of the five conditions is only partial* (or insufficient). What this means is that each of the conditions points to an independent aspect of epistemic injustice, yet, in order to constitute an epistemic injustice they must exist in conjunction with a violation of one (or more) of the other conditions. For example, as I have explained, it does not (necessarily) meet the threshold of epistemic injustice to exclude someone from a decision-making process of which they are quite clearly very knowledgeable (the epistemic condition), unless this exclusion unfairly disadvantages them (the disadvantage condition) and/or unless they have a stakeholder right to participate in the decision-making (the stakeholder condition). Likewise, for its part, violation of the stakeholder condition is insufficient to constitute an epistemic injustice unless the epistemic condition is met (although it might constitute a broader democratic injustice).

Second, because the conditions identified are only partial conditions of injustice, *violation of just each condition by itself does not constitute an injustice*. Nor, conversely, should the overall set of five conditions be seen as binary (i.e., only if all five conditions are violated has an epistemic injustice been committed) but rather as a sliding scale where the violation of more conditions constitutes a greater injustice (i.e., the violation of all five conditions is a greater injustice than the violation of, say, two conditions).

Moreover, third, *violation of some of the conditions is more aggravating than others* because they capture more central aspects of the unjust aspects of epistemic injustice. For example, an epistemic discrimination that leads to an epistemic or socioeconomic disadvantage (the disadvantage condition) is less unjust if the discriminated knower is already in an epistemically and/or socioeconomically advantaged position, even if that person is clearly knowledgeable (the epistemic condition). To the contrary, violation of the disadvantage condition is a greater injustice if it involves discrimination of someone already suffering other socioeconomic injustices (the social justice condition). Hence, the social justice condition captures a more aggravating aspect of what makes an epistemic injustice unjust than the epistemic condition. Likewise, discrimination of someone based on a false or malicious preconception of someone's knowledge (the prejudice condition) —although epistemically unsound—is less unjust (though might still be an injustice) if that person is already in an epistemically and/or socioeconomically advantaged position (the social justice condition); does not suffer any epistemic or socioeconomic disadvantage from the discrimination (the disadvantage condition); or does not actually possess relevant knowledge (the epistemic condition).

Consequently, identifying and evaluating claims of epistemic injustice in practice is not straightforward. Due to the interconnected nature between the epistemic and socioeconomic aspects of epistemic injustice as well as the varying degrees and thresholds for violating each of the conditions, epistemic discriminations range from being indirect and harmless (as in the case of the cyber security expert) to being direct but harmless (as in the case of my accountant neighbor); from being indirectly harmful (such as in the case of future members of minority cultures suffering from hermeneutical injustice) to being directly harmful (such as in the case of someone being subjected to racism); from being advantageous but unjustified (such as in the case of the Ivy Leaguer having excessive epistemic power) to being disadvantageous but justified (as in the case of the Ivy Leaguer having his epistemic power reduced); and from being unjust in virtue of existing (dis)advantageous factors (such as in the case of the differences in political power between wealthy and poor) to being unjust in virtue of its (dis)advantageous consequences (such as in the case of my accountant neighbors hopes of me paying back the money he has lent me).

How we assess these claims—whether they are harmless or harmful, unfair or fair, advantageous or disadvantageous, justified or not—depends on the extent to which the five conditions are met and how they relate to each other. As such, claims of epistemic injustice can take different forms and be normatively more or less significant depending on how and which of the five conditions that a claim combines. While we need to acknowledge this intricate and complex nature of identifying and evaluating epistemic injustice, the five conditions that I have discussed in this paper help bring some clarity to the process.

## 6. Concluding Remarks

In this paper I have raised the question: under what conditions is an epistemic injustice an “injustice.” I have identified five partial conditions, two of which at any given time must be met in order for an epistemic discrimination to constitute an epistemic injustice. The first two conditions were found in Fricker’s work on epistemic injustice and state respectively that in order for someone to be unjustifiably discriminated against as a knower, they must suffer epistemic and/or socioeconomic disadvantages and inequalities as a result from the discrimination (*the disadvantage condition*) and that the discrimination must involve prejudiced (i.e., unfair) sentiments about the speaker (*the prejudice condition*). I further argued that there are aspects of epistemic injustice that are not covered by the disadvantage and prejudice conditions and that a further three conditions can be identified. The *stakeholder condition* holds that in order for someone to be unjustifiably discriminated against as a knower, they must be somehow affected by the decisions that they are excluded from influencing. The *epistemic condition* holds that the discriminated individual or group must, of course, possess knowledge that is relevant for the decision that they are excluded from. Finally, the *social justice condition* holds that in order for an epistemic discrimination or epistemic inequality



to be an epistemic injustice, the discriminated individual or group must at the same time also suffer from other social injustices. With these five conditions, it is possible to systematically identify and evaluate claims of epistemic injustice and to exclude claims of epistemic injustice that under non-epistemic circumstances we would hesitate to call unjust.

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## Notes

<sup>1</sup>Consider, example, how the rise of psychological, sociological, and biological studies of sexuality since the 18<sup>th</sup> Century made sexuality into an object of knowledge, which in turn allowed those who control this knowledge—in particular, scientists, and government officials—a greater ability to control the discourse on sexuality and, especially, the concepts we are able to use to define our own sexuality, such as labeling sex outside of marriage a “perversion” and female sexuality “hysteria” (Foucault 1978).

<sup>2</sup>For a discussion on epistemic injustice from an epistemological perspective, see Alcoff (2010), Co-ady (2010), Fricker (2010), Goldberg (2010), Hookway (2010), Kidd, Medina, and Pohlhaus (2017), Maitra (2010), and Pohlhaus (2012; 2014). For some examples of practical applications of the concept of epistemic injustice, see Alfano and Skorburg (2018), Carel and Kidd (2014), Kidd, Medina, and Pohlhaus (2017, part 5), Medina (2013), and Tsosie (2012).

<sup>3</sup>To be sure, Fricker does not say explicitly what the conditions of epistemic injustice are, nor that these two are the ones that establish an epistemic injustice as an injustice. Rather, the two conditions are based on my own analysis of Fricker’s arguments. Although Fricker does not explicitly identify these two conditions, a necessary part of identifying conditions for epistemic injustice must include examining and analyzing the original concept to clarify what makes an epistemic injustice an injustice according to Fricker and whether this adequately capture all cases of epistemic injustice. To anticipate, I shall argue that there are at least three additional aspects of epistemic injustice not capture by the two conditions extrapolated from Fricker’s work.

<sup>4</sup>In the next section, however, I shall argue that giving someone more epistemic credibility than they deserve would be unjust if it creates, reproduces, or exacerbates existing epistemic and socioeconomic inequalities and injustices.

<sup>5</sup>See, though, Zheng (2016) who argues that holders of implicit biases may still be held accountable for negative consequences of their biases even though they are not responsible for their actions or attitudes.

<sup>6</sup>Stakeholder rights are for the purpose here determined by whether someone would be (dis)advantaged by the outcome. For example, we generally recognize that defendants in criminal trials have the right to influence the outcome of the trial by responding to the accusations. Moreover, more precisely, in order to account for uncertainty, we should say that it is overwhelmingly likely that they are affected by the decision. However, the problem of uncertainty is a known issue within consequentialism and more work needs to be done on how exactly to delineate when someone is being affected.

<sup>7</sup>A tricky issue concerns how to represent future generations who are clearly affected by current decision-making processes. For example, current climate-denial and anti-science biases delay necessary climate actions that could reduce the negative consequences of climate breakdown for future generations.

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